

Docket No.: 201261US-90



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/747,962

Applicants: Narumi UMEDA, et al.

Filing Date: December 27, 2000

For: MOBILE COMMUNICATIONS CONTROL
INCLUDING CHANGE OF BIT RATE BASED ON
TRAFFIC AND TRANSMIT POWER

Group Art Unit: 2684

Examiner: John L. Lee

SIR:

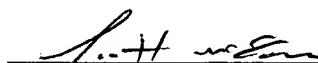
Attached hereto for filing are the following papers:

**Petition Under 37 C.F.R. § 1.181(a)(3), and
Copy of papers filed on January 24, 2005 comprising:
Date-stamped Filing Receipt, Information Disclosure Statement, PTO-1449 form.**

Our check in the amount of _____ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
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Scott A. McKeown
Registration No. 42,866



DOCKET NO: 201261US-90

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

NARUMI UMEDA, ET AL. : EXAMINER: JOHN J. LEE

SERIAL NO: 09/747,962 :

FILED: DECEMBER 27, 2000 : GROUP ART UNIT: 2684

FOR: MOBILE COMMUNICATIONS
CONTROL INCLUDING CHANGE OF BIT
RATE BASED ON TRAFFIC AND
TRANSMIT POWER

PETITION UNDER 37 C.F.R. §1.181(a)(3)
TO INVOKE THE SUPERVISORY AUTHORITY OF THE COMMISSIONER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This Petition is in response to the Notice of Allowance mailed January 18, 2005.

Remarks begin on page 2 of this paper.

REMARKS

This Petition under 37 C.F.R. § 1.181 requests that the Information Disclosure Statements (IDS) with cited references, filed on January 24, 2005, be fully considered, and that acknowledgement of said consideration be mailed to Applicants' representative in the form of a Supplemental Notice of Allowability.

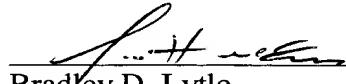
On January 18, 2005, a Notice of Allowability was issued in the above-identified Application.

On January 24, 2005, Applicants filed an IDS accompanied by certification and the required fee. Copies of papers filed are attached for the Examiner's convenience.

Applicants have not received an initialed copy of the filed PTO Form-1449 indicating that the references submitted in the January 24, 2005 Information Disclosure Statement has been considered, and respectfully request the Examiner to return a copy of the PTO-1449 form, filed in the present Application on January 24, 2005, fully initialed in acknowledgement of consideration.

Although Applicants do not believe that any fee is required for the present petition, any required fee should be charged the undersigned attorneys account no. 15-0030.

Respectfully submitted,
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

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(OSMMN 06/04)

BDL:SAM:ycs



Dept.: E/M
By: BDL:SAM:ycs

OSMM&N File No. 201261US-90

Serial No. 09/747,962

In the matter of the Application of: Narumi UMEDA, et al.

For: MOBILE COMMUNICATIONS CONTROL INCLUDING CHANGE OF BIT RATE BASED ON TRAFFIC AND TRANSMIT POWER

Due Date: January 24, 2005

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Credit Card Form for \$180.00
- Dep. Acct. Order Form
- Information Disclosure Statement (*in duplicate*)
- PTO-1449
- Cited References 2
- Official Action of the Republic of China (Dec. 10, 2004)



YCS

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Narumi UMEDA, et al.

SERIAL NO: 09/747,962

GAU: 2684

FILED: December 27, 2000

EXAMINER: J. Lee

FOR: MOBILE COMMUNICATIONS CONTROL INCLUDING CHANGE OF BIT RATE BASED ON TRAFFIC AND
TRANSMIT POWER

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- The Applicant(s) wish to make of record the references cited in the attached Office Action from the Republic of China and appropriately listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as is an English translation of the Chinese Office Action, which constitutes statements of relevancy of the non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

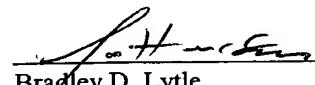
CERTIFICATION

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBOLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

 Bradley D. Lytle

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Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 201261US90	SERIAL NO. 09/747,962
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT			
		Narumi UMEDA, et al.			
		FILING DATE December 27, 2000			GROUP 2684
U.S. PATENT DOCUMENTS					
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS
	AA				
	AB				
	AC				
	AD				
	AE				
	AF				
	AG				
	AH				
	AI				
	AJ				
	AK				
	AL				
	AM				
	AN				
FOREIGN PATENT DOCUMENTS					
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO
	AO	CN 1130963A	11 Sept 1996	CHINA	
	AP	CN 1233924A	3 Nov 1999	CHINA	
	AQ				
	AR				
	AS				
	AT				
	AU				
	AV				
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)					
	AW				
	AX				
	AY				
	AZ	<input type="checkbox"/> Additional References sheet(s) attached			
Examiner					Date Considered
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					